

HOUSE BILL 1181

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO LAW ENFORCEMENT; PROVIDING THAT CERTAIN VICTIMS OF SEXUAL OFFENSES ARE NOT REQUIRED TO SUBMIT TO A POLYGRAPH TEST OR OTHER EXAMINATION AS A CONDITION FOR INVESTIGATION OF THE OFFENSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 30, Article 9 NMSA 1978 is enacted to read:

"~~[NEW MATERIAL]~~ VICTIMS--TESTS AND EXAMINATIONS-- PROHIBITED ACTIONS.--A law enforcement officer or prosecuting attorney shall not:

A. request or require a victim of a criminal offense provided in Section 30-9-11 through 30-9-13 NMSA 1978 to submit to a polygraph test or other examination as a condition for investigating the complaint of the offense; or

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B. use the victim's refusal to submit to a test or examination as grounds for not investigating the complaint."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007.